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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,666	04/25/2000	Chol Su Kang	EXIO-001	9328

7590 03/31/2004

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EXAMINER

TRAN, THIEN D

ART UNIT	PAPER NUMBER
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2665

DATE MAILED: 03/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/557,666

Applicant(s)

KANG ET AL.

Examiner

Thien D Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 31-41 are rejected under 35 U.S.C. 102(e) as being participated by Dalal (U.S Patent No.6,633,554 B1).

Regarding claims 31, 35, 36, 40, 41 Dalal disclose a method for communicating with wireless devices, comprising:

initiating a communication session between a wireless communication device and a first wireless base station coupled to an Ethernet communication pathway (col.5 lines 22-30, figure 1);

negotiating a handoff method of the communication session from the first wireless base station to a second wireless base station using the Ethernet communication pathway (col.6 lines 60-65); and

handling off the communication session from the first wireless base station to the second wireless base station. See col.7 lines 25-35, figure 4.

Regarding claims 32, 37, Dalal discloses the wireless communication device using CDMA. See col.6 lines 20-25.

Regarding claims 33, 38, Dalal discloses the method comprising:  
providing the wireless communication device with access to any suitable connection or network backbone connection means, and the like (including Internet/Ethernet). See col.5 lines 25-30.

Regarding claim 34, 39, Dalal discloses the method comprising the wireless communication device with access to public switch telephone network. See col.5 lines 23.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sayers et al (U.S Patent No. 6,542,754 B1) in the view of Dalal (U.S Patent No. 6,633,554 B1).

Regarding claims 1, 10, 18, 20, 26, 30, Sayers discloses an indoor private wireless network 14 (in-office wireless code division multiple access) CDMA communication system (see col.9, lines 50-65), comprising:

a local area network, IP LAN (LAN is an Ethernet network), having an ethernet communication back-bone (see col.10 lines 25-30, figure 9);

a plurality of CDMA P-BTS-27 from 1-P (wireless base stations) coupled to said LAN communication back-bone (see col.10 lines 48-55);

server coupled to said LAN communication back-bone (see col.10 lines 1-15);

a plurality of wireless mobile stations coupled to the CDMA P-BTS-27 via said LAN communication back-bone (see figure 1, col.12 lines 40-50);

a communication gateway coupled to said LAN communication back-bone (see col.9 lines 45-50);

a router coupled to said LAN communication back-bone to enable said communication devices communicate to the internet (see col.9 lines 40-45); and

wherein the CDMA P-BTS-27 operable to handle handoff by signaling (commands/requests) from one to another (negotiating handoff from first base station to the second base station) through the Ethernet backbone (see figure 1, col.12 lines 40-50). Even though, Sayers does not specifically disclose the negotiation step of handoff from a CDMA P-BTS-27 (1) (first base station) to CDMA P-BTS-27 (2) (second base station), it is a well-known processing step in hand off for the mobile station to accept data from the CDMA P-BTS-27 (2) (second base station) properly. For example, discloses in col.7 lines 25-35 a process step of sending command/requests (negotiation) from a source base station (first base station) to a target base station (second base station) to perform the procedure of handoff.

Regarding claim 2, 11, 25, 27, Sayers discloses that wireless base station includes a plurality of CDMA wireless modem modules for providing a communication link to external wireless communication devices to the in-office wireless communication system. See col.6 lines 10-20.

Regarding claims 3, 14, 17, Sayers discloses that wireless base station further includes a applications processing module for processing calls received and originated from said wireless base station. See col.14 lines 10-20.

Regarding claims 4, 19, 24, Sayers discloses call processing module formats call signals received by said wireless base station into data packets adaptable for the ethernet communication back-bone. See col.16 lines 45-50.

Regarding claims 5, 15, 23, Sayers discloses that wireless base station further includes an inter-networking processing module for providing a communication channel between the internet and a wireless communication unit coupled to said ethernet communication back-bone. See figure 1, col.16 lines 45-65.

Regarding claim 6, 22, Sayers discloses that wireless internet server includes a wireless mobility module for managing mobile units within the system. See col.10 lines 10-20.

Regarding claims 7, 21, Sayers discloses that wireless internet server provides real-time call processing. See col.10 lines 20-25.

Regarding claims 8, 16, 29, Sayers discloses that wireless internet server includes an integrated base station controller module and a mobile switch controller

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module for managing calls between communications units within the system. See col.16 lines 10-50.

Regarding claims 9, 13, Sayers discloses that wireless internet server includes call manger processing module for managing calls received and calls originated from the in-office wireless communication system. See col.14 lines 10-50.

Regarding claims 12, 28, Sayers discloses that wireless base station includes call selection modules for determining whether a call received or originated from the wireless base station is a voice call or a data call. See col.12 lines 20-60.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

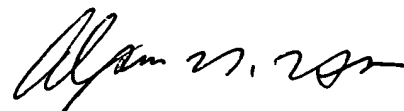
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Thien Tran whose telephone number is (703) 308-4388. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (703) 308-6602. Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Thien Tran

A handwritten signature in black ink, appearing to read 'Alpus H. Hsu', is written over a horizontal line.

ALPUS H. HSU  
PRIMARY EXAMINER